

Notice of Allowability

Application No.

09/735,862

Examiner

Ashok B. Patel

Applicant(s)

CHESHIRE, STUART DAVID

Art Unit

2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to July 8, 2004.
2. ☒ The allowed claim(s) is/are 1,2,5-18,20-25 and 28-36.
3. ☒ The drawings filed on 08 July 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

N. S. Hardy

DETAILED ACTION

1. Claims 1, 2, 5-18, 20-25 and 28-36 are allowed.
Claims 3, 4, 19, 26 and 27 have been cancelled.

EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with James C. Scheller on 09/03/2004.

3. The application has been amended as follows:

In the claims:

- I. Claims 3, 4, 19, 26 and 27 have been cancelled.

- II. Claim 1 is amended to read as follows:

Claim 1, (Currently amended) A method comprising:

receiving from a requester a request to access an information;

if a link to a first remote computer containing the information is down,

establishing the link while concurrently returning a plurality of imposter

responses, which comprise a plurality of imposter domain names that allows the

requester to send a request for each of the plurality of the imposter responses to

make a communication to the first remote computer appear as uninterrupted and

to prevent a timeout to reach the requester, until the link is established, wherein

returning the plurality of imposter domain names comprises appending a text string to the domain name to create a current imposter domain name that is one of the plurality of imposter domain names; and instructing the requester that the domain name is an alias for the current imposter domain name.

III. Claim 5, line 1, replace "4" with --1--.

IV. Claim 18 is amended to read as follows:

Claim 18, (Currently amended) A method comprising:

receiving a domain name system (DNS) request initiated by an application program;

if no Internet connection has been established, precluding a timeout and subsequent error message to reach a user by establishing a dial-up connection to the Internet while concurrently returning a plurality of imposter domain names that allows a DNS request to be initiated by the application program for each of the plurality of the imposter domain names, until the dial-up Internet connection is established, wherein returning the plurality of imposter domain names comprises forming a current imposter domain name by appending an information to the domain name; and sending a canonical name CNAME response stating that the domain name is an alias for the current imposter domain name.

V. Claim 20, line 1, replace "19" with --18--.

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VI. Claim 24 is amended to read as follows:

Claim 24, (Currently amended) A network host comprising a processor and a machine readable medium containing instructions which when executed by the processor cause the processor to perform operations comprising:

receiving from a requester a request to access an information;

if a link to a first remote computer containing the information is down, establishing the link while concurrently returning a plurality of imposter responses, which comprise a plurality of imposter domain names, to the requester that allows the requester to send a request for each of the plurality of the unique imposter responses to make the communication to the first remote computer appear as uninterrupted and prevent the timeout to reach the requester, until the link is established, wherein returning the plurality of imposter domain names comprises appending a text string to the domain name to create a current imposter domain name that is one of the plurality of imposter domain names; and instructing the requester that the domain name is an alias for the current imposter domain name.

VII. Claim 28, line 1, replace "27" with --24--.

REASONS FOR ALLOWANCE

4. The following is an examiner's statement of reasons for allowance:

Applicant's arguments that Vardi does not teach the claimed limitations are persuasive with respect to if a link to a first remote computer containing the information is down, establishing the link while concurrently returning a plurality

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of imposter responses, which comprise a plurality of imposter domain names that allows the requester to send a request for each of the plurality of the imposter responses to make a communication to the first remote computer appear as uninterrupted and to prevent a timeout to reach the requester, until the link is established-, wherein returning the plurality of imposter domain names comprises appending a text string to the domain name to create a current imposter domain name that is one of the plurality of imposter domain names; and instructing the requester that the domain name is an alias for the current imposter domain name. None of the prior arts of record teach or suggest the claimed limitations.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

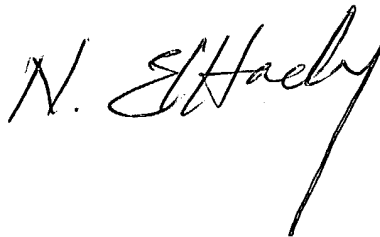
5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ashok B. Patel whose telephone number is (703) 305-2655. The examiner can normally be reached on 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A Follansbee can be reached on (703) 305-8498. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Abp

A handwritten signature in black ink, appearing to read "N. E. Haebly". The signature is written in a cursive style with a long, sweeping vertical stroke at the end.